

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

DAVID J. SCOTT,

Plaintiff,

v.

Case No. 06-13916

DANIEL A. BURRESS and BRIAN LAVAN,

District Judge Arthur J. Tarnow

Defendants.

Magistrate Judge Virginia M. Morgan

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**ORDER ADOPTING REPORT AND RECOMMENDATION [94];  
AND DENYING MOTION TO REOPEN [71] AND EMERGENCY MOTION [74] FOR TRO OR FOR  
PRELIMINARY INJUNCTION**

Before the court is M.J. Morgan's report and recommendation, as well as plaintiff's objections.

The court ADOPTS the report and recommendation. Even if plaintiff's motion to reopen is deemed timely, the motion does not warrant relief on the merits. Plaintiff, though proceeding *pro se*, is an experienced litigator and was on notice of the need to maintain a current address with the court, notwithstanding the lack of a warning from this court before the dismissal of his complaint in March 2008.

Accordingly, the motion to reopen is DENIED. Consequently, the motion for injunctive relief is also DENIED.

06-13916

SO ORDERED.

S/ARTHUR J. TARNOW  
Arthur J. Tarnow  
United States District Judge

Dated: August 24, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 24, 2009, by electronic and/or ordinary mail.

S/THERESA E. TAYLOR  
Case Manager